

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

LOUISE REDDITT,)
Plaintiff,)
v.) CIVIL ACTION NO. 5:11-CV-170 (MTT)
FAYETTE COUNTY, GEORGIA, et al.,)
Defendants.)

)

ORDER

This matter is before the Court on the Plaintiff's Motion for Permission to Appeal In Forma Pauperis (Doc. 16) (the "Motion"). For the following reasons, the Motion is denied.

In her Motion, the Plaintiff seeks to appeal Magistrate Judge Stephen Hyles's Order Granting IFP and Ordering Plaintiff to Recast Complaint (Doc. 5) and this Court's Order Referring Case to Judge Hyles (Doc. 3). Plaintiff's appeal is premature. Because there has been no final order entered in this case, an appeal cannot, in the Court's best judgment, be taken in good faith. 28 U.S.C. § 1915(a)(3). Accordingly, having been carefully considered, plaintiff's motion to proceed *in forma pauperis* on appeal is hereby

DENIED.

If plaintiff wishes to proceed with her appeal, she must pay the entire \$455 appellate filing fee. Because plaintiff has stated that she cannot pay the \$455 immediately, she must pay using the partial payment plan described under 28 U.S.C. § 1915(b). Pursuant to section 1915(b), the prison account custodian where plaintiff is incarcerated shall cause to be remitted to the Clerk of this Court monthly payments of

20% of the preceding month's income credited to plaintiff's account until the \$455 appellate filing fee has been paid in full. Twenty percent of any deposits into the prisoner's account shall be withheld by the prison account custodian who, on a monthly basis, shall forward the amount withheld from the prisoner's account to the Clerk of this Court each time the amount in the account exceeds \$10 until the total filing fee of \$455 has been paid. Checks should be made payable to "Clerk, U.S. District Court."

SO ORDERED, this the 22nd day of July, 2010.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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